

# TRANSCRIPT OF PROCEEDINGS

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FEDERAL EMERGENCY MANAGEMENT AGENCY

REP PROGRAM STRATEGIC REVIEW )  
AT-LARGE STAKEHOLDERS MEETING, )  
WASHINGTON, D.C. )

Pages: 1 through 97

Place: Washington, D.C.

Date: December 5, 1997

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## FEDERAL EMERGENCY MANAGEMENT AGENCY

REP PROGRAM STRATEGIC REVIEW            )  
AT-LARGE STAKEHOLDERS MEETING,        )  
WASHINGTON, D.C.                        )

Auditorium, Building 46  
University of the District  
of Columbia  
4200 Connecticut Avenue, N.W.  
Washington, D.C.

Friday,  
December 5, 1997

a.m.           The meeting was held, pursuant to notice, at 9:08

## APPEARANCES:

RITA CALVAN, Director  
FEMA, Region III

D. ANNE MARTIN, Chair  
Strategic Review Steering Committee

RICK AUMAN, Facilitator

## ATTENDEES:

MARY LYNNE MILLER  
FALK KANTOR  
TOM ESSIG  
SHARON STOFFEL  
ROSEMARY HOGAN  
BOB BISSELL  
BILL MC NUTT  
MARCUS WYCHE  
STANLEY MC INTOSH  
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ALAN NELSON  
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ATTENDEES (CONT.):

RON GRAHAM  
GEORGE URQUHART  
TINA KUHR  
SANDRA PAICE  
ROBERT HOLDEN  
MICHAEL J. SHARON  
NICK DE PIERRO  
JOHN LITTON  
ERNESTINE M. KUHR  
ANDY SIMPSON  
JOELLE KEY  
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PAT MULLIGAN  
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CHARLIE MILLER  
RON FRAAS  
MIKE SCHOPPMAN  
SCOTT SAUNDERS  
JOHN GIBLE

P R O C E E D I N G S

MS. CALVAN: Good morning, everyone. It's my privilege to welcome you to this public comment period on our Radiological Emergency Preparedness Program Strategic Review. My name is Rita Calvan and I'm Regional Director for FEMA's Region III, which includes the states of Delaware, Pennsylvania, Maryland, Virginia, West Virginia and the District of Columbia.

This is a great time to be reviewing this program. The program is almost 20 years old. For those of us who work in the field with the REP program a lot, we know that there's a lot we could do to streamline it, so I think it's very timely that we're doing this at this time.

This meeting, of course, is not just for FEMA Region III. It's for the entire Eastern Territory of the United States. It includes FEMA Regions I through IV. I'm representing my colleagues in the other FEMA regions, Jeff Bean from Region I in Boston, Lynn Canton from Region II in New York and John Copenhaver, who's the Regional Director in Region IV in Atlanta. I'm sorry that none of them are able to be here today, but it's my privilege to be able to represent them.

We were doing some back of the envelope

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calculations a few minutes ago and we figured we have 24 states in the Eastern Territory, almost half the country, and we figured we do have, combining all of our plants, the highest number of plants. If you divide the country up into the three territories that we traditionally divide the country up in, in FEMA, we have a total of 37 plants, I believe.

Region IV, the Atlanta region, has the highest number of plants in the country. I believe FEMA Region V, which has its office in Chicago, has the second highest number, and in Region III, we have the third highest number, with a total of nine plants. Eight plants, actually, but nine sites.

Whenever I think about the REP program, I always like to think that those of us who live and work in Philadelphia, of course, especially when we come to Washington, we like to think about how we were really first.

Everybody, you know, thinks of Washington as the nation's capital, but really, Philadelphia, as you know, is really where it all began. We're very sensitive to that, particularly with our office a block from Independence Hall.

Unfortunately in Pennsylvania, we also have the dubious distinction of being where the REP program all

began, because, of course, that's where the event at Three Mile Island took place in 1979 and that is what spawned the REP program.

ON a personal level, I feel very at home with this program. There's a lot of attention, of course, to FEMA's disaster response and recovery programs. The REP program tends to be a little bit forgotten, because there's so much drama associated with the disaster program. But, in fact, I feel very comfortable with the REP program, because I came from a regulatory background before I came to FEMA. I spent more than ten years at EPA. So, this is, of course, a regulatory program and I feel very comfortable with it.

This is your meeting, those of you who are here from states, perhaps local governments, utilities. It's your meeting. You are stakeholders in this process. We want to hear from you and we hope you'll express your views and your concerns very candidly.

I would like to take just a moment to compliment the team which consists of FEMA people and our sister agency, the Nuclear Regulatory Commission. They have been on a whirlwind tour of the country. This week, they have been to San Francisco for our first public meeting. They were in St. Louis yesterday and now in Washington today,

doing the Western, Central and Eastern territories. I know it's been very stressful for them. They've held these meetings and gotten on a plane and moved to the next location. So, I just want to thank them and compliment them for their hard work and their endurance.

It's been so tough that Jan Lamb of our staff has decided to retire at the end of the year. So, welcome to the meeting. We look forward to hearing your view.

At this time, I'd like to introduce Anne Martin. Anne is the Deputy Director of our Exercises Division in FEMA's Preparedness Training and Exercises Directorate at FEMA Headquarters.

MS. MARTIN: Thank you, Director Calvin, and thank you for those kind comments about the committee. Indeed, they have had a whirlwind week.

I'd like to give you an overview of the strategic review of the REP program before we go into the concept papers. As Rita mentioned, the FEMA responsibility for the program began in 1979, when FEMA took the lead for off site radiological emergency response planning. The mission, of course, then, as it is now and remains the same, is protection of public health and assuring public safety around commercial nuclear power plants.

Of course, programs grow, they mature. Fifteen years later, between the period of February of 1994 through roughly 1996, NEMA, the National Emergency Management Association, issued several resolutions from their committees, suggesting possible changes to the REP programs.

Also, during that same period, 1994 to 1997, attendees at the national REP conference annual meetings also made a number of suggestions about the REP program. In May of 1995, the Nuclear Energy Institute issued a white paper.

Well, a significant change was made to the program in February of 1995, when the exercise reporting was streamlined with what is known as the SERF, the Standard Exercise Report Format. But, change was still on the horizon. Taking into account the comments that I've mentioned from the National REP Conference, from NEMA, from the NEI white paper, as well as the conferences that were held over the years by our FEMA regions, all of those comments were taken into account by the Agency. In June of 1996, Director Witt directed the first comprehensive REP program review, 17 years after the program began.

Of course, rather than taking the comments from NEMA or National REP Conference or NEI by itself, it just made sense that there be a complete comprehensive review.



A couple of things were happening on the national stage that also assisted this process. One was, of course, the Administration's announcement of the National Performance Review, which was a look at the public service rendered by the federal government to revalidate programs and procedures, particularly those that had been in being for a number of years, such as the REP program. Of course, the Government Performance and Results Act directed that the government would take an in depth look at performance criteria and at the results, and also provided a model. That model I will be talking about in just a couple of seconds, because that's a model that we utilized for this strategic review.

In preparing for the review, there were two acts that had significance to the review and were taken into account. One was the Federal Advisory Committee Act. That, of course, is administered by the General Services Administration and says that non-governmental entities, in order to participate in any policy making with the government have to be deemed a Federal Advisory Committee, and that's an 18 to 24 month process, with a number of steps and a number of criteria to be completed.

Also is the Unfunded Mandates Reform Act that was

signed by President Clinton in March of 1995. The Unfunded Mandates Act directed the federal government to seek out state, local and tribal views on programs and also directed agencies to consult with a wide variety of state, local and tribal officials. And, in addition, directed that these consultations should take place as early as possible when changes are being considered.

So, that brings us to the Strategic Review Initiative itself and the model that we use for that. As I mentioned, we use the model set forth in the Government Performance and Results Act, and that directs that first, before beginning any activity, a needs assessment be made. Of course, to an extent that we had been assisted with the needs assessment by the resolutions and the comments that had come in from the various organizations, the stakeholders in the program.

That model also directs that an in depth review be made of the objectives of the program. The objectives, of course, come directly from the agency vision, which says, an informed public, protecting their families, homes, work places, communities and livelihoods from the impact of any disaster and of course, that remains the same with our REP program protection of public health and public safety.

The strategies that we developed for this review were, of course, Development Strategic Review Steering Committee Outreach. Part of that outreach is the reason that we're here today. Of course, the model also directs that agencies identify their stakeholders. Of course, that's anyone with a stake in the program or an interest in the program. Our stakeholders are here today and we identified them as public citizens, state governments, local governments, tribal governments, power plants, other federal departments and agencies. Anyone with an interest in the REP program.

Now, in planning for this initiative or this strategic review, we looked at the typical planning model, which you see here on the overhead, the linear planning model. Wherein, so often we develop a plan and have some input into it, develop a draft document and after comments, go directly into implementation. That's a model that we have often used in the past.

But, for this strategic review, we went to the accordion planning model that you see on the overhead. I think perhaps everyone is close enough to see the small circles as well as the blocks. The circles indicate the Strategic Review Steering Committee and the blocks indicate

the stakeholders. So, on your far left, the Strategic Review Steering Committee met, conducted deliberations and then reached out to state and local government. It comes back to the Strategic Review Steering Committee.

Then, the second outreach was to our federal partners at a federal forum. Again, those comments come into the Strategic Review Steering Committee and then the third outreach is to the public, and that is why we're here today and we were in San Francisco and St. Louis earlier in the week. Only at that point do we look at drafting a document which would again go out to the public via The Federal Register, and after that, result in recommendations and finally, implementation of a program.

Well, as I mentioned with the model indicating a needs assessment, again, in July of 1996, The Federal Register held the announcement that this strategic review would be held, asked anyone having any interest in the program or any comments to send them to us in FEMA. This federal notice was held open for 120 comment period. During that 120 days, we received 60 respondents with 178 specific comments and this next transparency, I'll give you a second to look at it, that indicates the major topic areas that were sent in with the comments. As you can see, exercises

received the greatest number of comments.

Taking these comments, along with the NEMA resolutions, the NEI white paper, the National REP Conference suggestions, as well as all of the papers that had come in from the various REP Conferences held in their regions, the Steering Committee deliberated with all of these comments and four principal concepts emerged from these papers and comments. They are the delegated state, exercise streamlining, partnership in the REP program and the radiological aspects of REP. It's those concepts that we will be going through in some detail today and give you also an opportunity to pose questions on them.

Now, you may have a question about who has been comprising this Steering Committee and is taking a look at all of these comments. The Steering Committee was chosen very carefully to represent the full spectrum of REP experience and to represent a full spectrum across the nation, so that we get a cross section of experience. Nuclear Regulatory Commission is represented on the Steering Committee, both the Emergency Preparedness side, the Response side, preparedness training in exercises, regional management is represented on the committee. The RAC Chairs, the Regional Assistance Committee Chairs, several RAC

Chairs, as well as REP policy and REP training, and we also have a technical advisor from FEMA, the Program Office, and a legal technical advisor.

I'd like to take this opportunity to mention our RAC Chairs for this territory. Dan McElhinney from Region I could not be with us today because of another commitment, but we do have Stan McIntosh of Region II, Janet Lamb, Region III and Larry Robertson of Region IV, so if you'd just take a moment and stand in place, we're very pleased that our RAC Chairs could be with us at this territorial meeting.

We had the comments in hand, the papers in hand, and in January of 1997, the strategic review actually began the deliberations and looking at all the comments. Also, in January of 1997, another activity was initiated by FEMA, and that was a RACAC, or Regional Assistance Committee Chairs Advisory Committee. The RAC's had been in existence for a number of years, but the chairs really did not have a forum to come together and discuss consistency across regions or discuss various issues.

So, in January of 1997, the RACAC was chartered. In July of 1997, the RACAC reviewed the concept papers that had been developed by the Steering Committee. This was

actually the first full review of the concept papers. Then, in September of 1997, the concept papers were taken to the Government Stakeholders Meeting, which was held in Kansas City, and I think a number of you in the room today may have been designated Government Stakeholders and attended that meeting.

In November of 1997, we took the concept papers to our federal sister agencies at what we call the Federal Forum held in Dallas and this month in December, we are having our At-Large public meetings. That's where the concept papers today are presented to anyone who has an interest in them.

In January, we hope to have what we call our FEMA Stakeholders Meeting and that is all of the program representatives, all of our program people, both in headquarters and the regions, attend a meeting to review the concept papers.

Where do we go from today? We give you an opportunity to review the concept papers, to ask questions, to make your statements and then the Steering Committee will consider all of those. I would mention at this point that the proceedings from today will be recorded and all of those comments will be posted on the REP home page.

Taking all of those into consideration, the Steering Committee plans to submit proposed recommendations to the FEMA director in March. Those recommendations or any changes to those recommendations will be published in The Federal Register. There will be a comment period. We plan to have as long as possible. We probably will not be able to do 120 days, but it will be a significant comment period and then in June, we plan to make actual program recommendations to the FEMA director and after that, of course, with the implementation by the FEMA regions and headquarters.

That concludes the overview briefing. I'd like to introduce now Mr. Rick Auman, who will take us through the rest of the agenda. Rick is with Human Technologies, Inc. and will be acting as our facilitator for today's meeting. Rick?

MR. AUMAN: Good morning. I'll be the moderator for today's meeting. I'd like to spend just a couple of minutes talking about the format for today's meeting and some ground rules for that meeting.

This morning, as you can tell from your agenda, you'll see we're going to present each of the four concept papers in the order listed on your agenda there. We would



ask that during these presentations, you hold questions until the end of the presentation, because there will be time to ask any questions you have about the particular concept paper at the end of each period. So, if you would hold your questions and then afterwards, we'll ask you to come down and ask any questions you might have.

If you do have any questions about the particular concept paper that's been presented, we'd ask you to come to one of the two microphones down at the front here. Please preface your comments with your name and your affiliation. That's for the sake of our reporter, who is sitting surreptitiously in the back over here, taking everything down, but please preface with that and then ask your questions about that particular concept paper. If there are people at both microphones, I'll just indicate which microphone we'll take the question from.

Our schedule calls for us to begin prepared comments in response to the concept papers at 1:30 this afternoon. If we move right along and time permits, we'll start those comments earlier, if that is possible, but if we're on schedule at 1:30, please just come down to the microphones and we'll have panelists up here to respond to anything that you'd like responses to and we'll take your

comments at that time, as well.

We would ask that each individual limit your comments to five minutes. I will give you a one minute mark when you have one minute left. I would ask at that point you summarize your comments and then allow for the next person to come down and offer their comments, as well.

There will probably be sufficient opportunity for you to come back and offer more comments, if you would like, and we would certainly appreciate that, but we would like to get through everybody's comments first, before we start taking others, as well.

We do have two microphones down in front. They are both on. We'll alternate from side to side, so it doesn't matter which microphone you go to. We'll just go from one to the other as we work our way through there. If it takes that long, we'll take our last comment at 3:55 this afternoon and we'll end the meeting at 4 p.m. If we're done before that, then so be it, we're done before that.

Unless there are any questions about our format today, or the ground rules, we'll get started. Okay.

The first paper that will be presented this morning is the partnership paper and that will be presented by Sharon Stoffel and Mary Lynne Miller.

MS. MILLER: Good morning. My name is Mary Lynne Miller. I'm with FEMA Region IV in Atlanta, Georgia. On the panel with me today Stanley McINTosh from FEMA Region II in New York is my very able slide flipper and Sharon Stoffel from FEMA Region I in Boston will join me, as well.

Anne, I think, gave you a very good overview as far as the role of the committee and basically how we approached trying to form up the basic ideas we were given by all of you into concept papers. As we started going through this, it became very clear that a lot of the issues centered on a change of environment in terms of partnership between the various players in the REP program. So, we're presenting this paper to you first, in that it basically overarches the other concept papers in both theme and content.

I guess the basic issue and just to put it in a very short description is, should the role traditionally assumed by FEMA be modified from principally that as an evaluator of state and local ability to implement emergency response plans to one more defined as a partnership in a broader context, and to include more open communication in that relationship.

Towards that end, as we were kind of bringing

things together, things seemed to group into four basic areas and so we'll present the paper to you in those four basic topic areas this morning. I will present the first two sections, those being performance and policy. My colleague, Sharon Stoffel, will present the final two topics, technical assistance and federal exercise participation.

I really must point out that each of these particular components of the partnership paper are rather independent and therefore, all of them should be looked at somewhat separately, although there is certainly a common theme. Any of them could be adopted either with or without the others, so it's not a package deal. If you could kind of look at those independently as you form your opinions on them.

I think I'm coming down with a cold from this schedule. Beginning first with the performance section, many commentators proposed that federal, state, local and tribal government entities all have the same goal of protecting health and safety of the public. So, many comments received focused on providing more flexibility to state and local governments and generally reducing federal oversight, given that common goal.

Many commentators relayed that this type of changed environment and empowerment seemed to be particularly applicable to REP in terms of where the program is, in terms of its evolution. A couple of factors played into that.

First, over the years, the REP program has developed an excellent definition of the capability that a state, local and tribal government must possess in order to protect the public. So, that definition of capability is fairly well defined. Over these same years, I guess the second factor is the maturity that the program has achieved and the level of experience that has been gained by those entities and the record of performance. In terms of performing those roles, it was felt that these warrant a higher degree of control over actual program execution, given the experience of the program.

Therefore, I think Anne gave you a good outline of the Government Performance Results Act and where it plays into the federal government at this point. That was recommended as a model in terms of a process that could be used in terms of a specific strategic planning model for REP. This rather busy slide, going from the third bullet down, defines what could be looked at as a strategic planning process for REP, if that was undertaken. I won't bore you.

I know most of you are familiar with strategic planning in terms of detailed concept, but basically, of course, it involves setting goals that support the mission, and generally those are done at a fairly global level, probably on a national level. Then moving to results focused objectives and generally performance measures are at that level as well, to give a better definition of when you've actually achieved what you want to.

Then, moving from there to the outcome level, where you're actually in a state or local unique fashion, choosing how to accomplish those. In other words, the upper level is fairly well defined, but as you move into the outcome level, that's where there's flexibility of state and local governments to achieve outcomes in different ways, depending on what the situation is. So, that's where the flexibility could come in.

At the bottom of the slide for those of you who are not aware of it, on my right and your left is PPA, which are Performance Partnership Agreements. These are the strategic planning agreements that FEMA has with the various state governments in a non-disaster context. They are a strategic planning document. They are not a funding document. They're executed with the governor, generally, of

each state. I guess I should clarify one question that has come up in terms of REP funding. Of course, now the funding goes directly from utilities to state and local governments.

This paper does not recommend a change in that funding process for it to come through FEMA. The PPA aspect is a strategic planning document, not a funding document.

But, basically, the paper points out that the use of the PPA, in fact, many states do it already in order to get a more holistic look at their response capability, but that's not really the critical path. The question is, from a strategic planning document, that would be one way to approach it. But, I guess our question to you is, is that necessary for the REP program at this point, or is the program well defined enough at this point to move forward without kind of going back to a goal setting process?

The second section, this reads B, and I'm sure you've all read these papers very carefully, there is actually a Section B in the paper that reads evaluation. We had included an evaluation component in this paper, because there were a lot of partnership themes that emerged with that. But, it seemed as we worked through the stakeholder process, we were making people repeat themselves, because there is an exercise streamlining paper, as well.

So, we consolidated that piece of partnership into the other papers. So, actually, the policy reads C in the document, but the text has been removed.

Basically, the policy section in the paper focuses on the need for greater stakeholder involvement in the development of ongoing policy. We're moving towards that, I think, as you see from the form today and from other activities that have happened in the recent past and generally, the methods recommended for those were workshops and conferences among other means of getting better input into policy, rather than having it just rolled out in that linear planning model that Anne described.

Many of the commentors complimented on the SERF format, Standard Evaluation Report Format development used in Kansas City and the comments that we received to date on this process, as the stakeholder involvement and strategic review have been generally favorable on that increased participation.

You know, I think the advantages are fairly straightforward. You obviously get increased ownership if you're part of the process, improved consistency because there's more input, and certainly that's an advantage in a lot of respects. I think we have to recognize that



consistency is good, but there's also needed differences. But, it gives you more of a global input into policy, and obviously, broader access to technical expertise, because there's a lot of expertise out there and we would be remiss in not looking at that in developing policy.

It should be recognized, however, that it does take, it's a more lengthy process to include more stakeholder input. We've certainly seen that with this process that the committee has been involved in, but certainly you're getting a better product at the end, if you go through that process, but it must be recognized that it doesn't happen as quickly if you broaden it out, but certainly more positive.

Those are the first two sections. I'll now turn it over to Sharon, who cover the second two and then we'd be glad to take your questions.

MS. STOFFEL: Thank you, Mary. Good morning. I'll be speaking with you about technical assistance, the third portion of the paper and I think that I'd like to clarify our use of the words technical assistance. The context in which we're using it in a concept paper is a broader context than purely radiological assistance. It would also extend to programmatic and planning assistance.

The comments were provided suggesting that FEMA shift its emphasis from a role of prescriptive evaluation to one of a technical assistance provider to states, tribal nations and local governments. This would further the partnership relationship. It would put FEMA in the role of facilitator-educator, rather than evaluator, and hopefully in the long run, customer service would be improved as a result.

The examples of technical assistance that are provided in the paper are indicated on the overhead. The first two areas, plan improvement and training assistance, would have FEMA playing a greater role in providing assistance with emergency preparedness plans and with training, with the states, local governments and tribal nations.

FEMA would continue or expand its role in courtesy evaluations. Often during rehearsals, we have the opportunity to provide feedback while the players are participating in a rehearsal, and this has been felt to be very beneficial. So, the expansion of that was recommended as a possible way to enhance technical assistance.

Radiological monitoring. FEMA could work with other federal agencies to identify key radiological

monitoring and assessment capabilities, determine where more effort is needed and work to accomplish that effort. Use of the Internet was suggested and the specific recommendation there was to establish a web site for technical assistance.

Emphasis on corrective actions versus grading is noted in the paper. It would allow us to correct issues during drills or during exercises, rather than having a final grade be the ultimate outcome of the exercise effort. It's felt that that would greatly improve the learning experience during the exercise or drill.

FEMA could take a more active role with our partners in the Emergency Alert System. Similarly, with special needs data assistance, FEMA could assist in obtaining the data and working through some of the Privacy Act issues that are involved.

Other areas specifically that were noted included conduct of technical assistance conferences and more on site visits.

The last area for the paper has to do with Federal Exercise Participation. If there were more extensive federal agency participation in exercises, it would give our partners improved knowledge of federal plans and federal resources that would be brought to bear, should an incident

occur. It would afford us the opportunity to exercise the relationship between the Federal Radiological Emergency Response Plan and the Federal Response Plan.

An important consideration in increasing federal exercise participation is a commitment of resources that would be necessary to permit federal agencies to participate at a greater level and that would require a great deal of attention. But, this is the last of the four areas of the partnership paper. Thank you.

MR. AUMAN: Thanks, Sharon. Okay, Sharon, Mary Lynne and Stanley are ready for questions, if you have any.

If there are no questions, then the second paper will be presented. Thank you all. The second paper will be on the radiological focus. That will be presented by Falk Kantor, Tom Essig, Bill McNutt and Marcus Wyche.

MR. KANTOR: Thanks, Rick. Good morning. My name is Falk Kantor. I'm with the Nuclear Regulatory Commission and I'm a member of the Strategic Review Steering Committee.

I'll be assisted this morning in the presentation of the paper on radiological focus by Tom Essig of the NRC and Bill McNutt of FEMA and also Marcus Wyche of FEMA.

If we look back a little bit at where we were and see how we got to where we are today as far as emergency

planning, there was some guidance issued in the mid-70's, NUREG 75/111 -- somebody might be familiar with it -- which proposed or recommended that emergency plans should be developed at a state level. There should be a general state emergency plan and then a Radiological Emergency Response Plan, a RERP should be developed, with supporting operating procedures.

That approach was reinforced in the Revised Emergency Planning Regulations issued shortly after Three Mile Island, which again emphasized a stand alone radiological emergency response plan supported by implementing procedures.

But, over the years, especially as the emergency management agencies matured in other areas, there's been a movement towards an all hazards approach to emergency planning. In fact, if you look at FEMA's current mission statement and goals, one of the goals is to establish, in concert with FEMA's partners, a national emergency management system that is comprehensive, risk based and all hazards in approach.

In response to The Federal Register notice, we did get quite a few comments recommending that REP be included in the all hazards approach to emergency planning. As we

began to examine that closer, it became apparent that the inclusion of REP in the all hazards approach to emergency planning, a related issue was identified and suggested by some of the comments concerning whether the efforts of state and local governments, as well as FEMA, should be focused on those activities and REP unique to radiological emergencies and less on the non-radiological aspects common to all emergencies.

So, that really is the issue in this paper here. So, the committee began by looking at the background. We reviewed the planning standards in 0654 and the regulations, evaluation criteria, NUREG 0654. We examined the emergency plan objectives and points of review in REP 14 and 15 and also examined the regulatory basis for REP to determine if there are any impediments to moving in this direction, and also took a very preliminary view of perhaps what changes in guidance might be necessary if we did move in this direction.

We wanted to be cognizant of and be reminded of that under the current program, all emergency planning standards must be met and the resulting program must continue to provide reasonable assurance. However, how this would be accomplished may differ from what is already in

place.

In looking at the all hazards approach, we were aware and reviewed some of the state plans. Some of the states have moved quite a bit in this direction in their planning. Some states, not quite as far. But, in Kansas City, we got pretty good feedback from the state and local representatives about how they have incorporated REP to a certain extent in their all hazards planning. In fact, FEMA has issued a guide on this, State and Local Guide 101, that was issued in 1996. The format suggested there is a basic plan, an emergency operations plan, with functional annexes for each of the core functions of emergency response, such as direction and control, communications and so forth.

Then, hazard specific appendices, such as a nuclear power plant accident. That's the format suggested in the FEMA guide. It's not a requirement, it's just a recommendation.

In our review of the planning standards in 0654, it soon became apparent that they really don't lend themselves to dividing them into radiological and non-radiological aspects. It became apparent it was more useful to look at the exercise objectives in FEMA REP 14, the demonstration criteria, and under that, the points of

review.

We took, you might say, a first cut at these demonstration objectives and you'll find some overlap here with the paper that will be given later on in exercise streamlining, but we identified a couple small amounts that could be considered non-radiological in approach. Even these are argumentative, and there was another larger group of objectives that could be considered to be all hazards, but contained radiological components. You can see these listed here on this view graph.

The final category was a list of objectives that appeared to be primarily radiological in nature. Again, you can see some of these objectives here listed on the view graph.

State and local governments have been demonstrating the ability to meet these objectives in exercises and they're comfortable in that approach. So, the question is, is it practical to separate the objectives demonstration criteria and points of review that are considered radiological, and if so, which ones? However, emphasizing the radiological aspects of REP does not eliminate the non-radiological aspects from concern. The non-radiological aspects activities would still need to be



verified as adequate, even if demonstrated in an all hazard framework.

As an example, some of the objectives we looked at -- communications, for example -- it appears to be generic in function -- all emergency responses require communications to a certain extent or degree, but if you look at this one closer, there is a radiological aspect to it. Emergency response facilities need to communicate to other facilities and to field monitoring teams, protective action decisions for radiological releases need to be formulated and issued. So, there is a radiological component to the communications objective.

If you even look at the one on staffing, that one is quite often given as an example of something that is non-radiological in nature, because every emergency, you're required to staff in response. But, under the guidance in REP 14, I think it's every six years, the incoming shift needs to be briefed on the radiological aspects of the events. So, even that staffing objective has a radiological component to it.

Next, if you look at the concept of an integrated exercise as described in NRC and FEMA regulations, the integrated exercise truly is an integrated exercise. The

best emergency planning, best emergency response, is when all parties are involved. The licensee and state and local organizations that are involved in the emergency plan together need to demonstrate their capability. The regulations also talk about demonstrating the major observable portions of the on site, off site emergency plans, and of course, the regulations require that an exercise be conducted on a biennial, once every two year, basis.

So, in order to conduct a truly integrated exercise, it's necessary to include some of these generic, non-radiological aspects. The so-called glue of an emergency response, emergency exercise, is found in these non-radiological activities. So, it may be difficult to separate those out.

However, we have developed a possible alternative approach that would allow FEMA to reach its reasonable assurance finding and Tom Essig is going to go over that approach with you now.

MR. ESSIG: First, we have a flow chart which depicts the possible alternatives. On the left, we have, and I'll go into each of these points in a little bit more detail, but I just wanted to show you up front conceptually

what we're talking about.

We have discrete drills which, of course, we do now, readiness appraisals, which sounds like a new concept, but really embraces a lot of existing methodology, exercise credit, referring to credit given for real events, that type of thing, and then expanded use of the annual letter certification. These would feed across the page to the right into a full participation exercise. That is, they would be done separately, but at some point, full participation exercise, perhaps a less frequent exercise, all of which would then feed over to the right to be part of the overall adequacy finding of reasonable assurance.

In terms of discrete drills, as I said, this is something that we do currently and that we have field monitoring teams can demonstrate expertise separately and apart from a full scale exercise. Emergency workers demonstrating the use of dosimetry. People with directional responsibilities can show that they understand the technical information. That can be done separately and apart from the major or the full scale exercise and the other, the discrete drills, the emergency medical and that's often done currently as a discrete effort. Then, health physics drills would be the other one that we had identified as possibly a

discrete activity.

I mentioned earlier about readiness appraisals. We've used it in quotes there, because it is somewhat of a new term in a REP context, but it really consists of what you see there below, which is walk-throughs, which are done to some extent, already. Inspections, although not on the FEMA side of the house, so much, but certainly on the NRC side of the house, where we're quite familiar with inspections. Inventory and roster reviews, audits of resources and verifying that the information listed in the letters of agreement is current. All those could form activities which we're calling a readiness appraisal.

Other possible alternative approaches, we could have the non-radiological objectives that Falk was mentioning earlier, could be demonstrated in all hazards exercises, with results then coordinated with the REP evaluation. Then, as was mentioned also, expanding the exercise credit for real emergencies or for the non-radiological response activities.

Then, the state assessment of plans for fairness could be reported in an expanded annual letter of certification. That would comprise the other alternative approach. In doing this, of course, we realize that

focusing on the radiological aspects of REP may require changes in the current REP program, such as a change in the conduct and frequency of the full scale exercise.

I'd like to conclude this part of the presentation with some issues to ponder. First, can FEMA make its adequacy findings based on drills and other preparedness activities combine with less frequent full scale participative exercises, and if so, how? Can the focus on the radiological aspects of REP be made without affecting the exercise process? Lastly, how and with what frequency does one make judgements on reasonable assurance under these alternatives that we're talking about here? Would more focus on radiological functions and less focus on generic functions fragment a coordinated response? That is, would it be able to pull itself together without the glue that Falk mentioned earlier? Does the emphasis on the radiological aspects of REP and less on the generic aspects merit further consideration? That concludes our part of the presentation, except that Bill McNutt has a few comments to offer.

MR. MC NUTT: -- which had already been mentioned is not new, except for the direction and control. That would be a new concept in the discrete drills. The

readiness assessments, walk throughs, review of rosters and letters of agreement. FEMA has a document called the Capabilities Assessment for Readiness, which could assist state and local government in doing readiness assessment. To these two activities, you add the expanded credit for performing non-radiological exercises or drills, responding to a real emergency, and then you add the use of the annual letter of certification, where state governments perform annual periodic requirements which are required under our current guidance, and just submit a letter to the region that these activities have been completed.

So, you tie these all together in a package and then you step back and say, well, what have we accomplished?

Perhaps we haven't accomplished much unless we look at the exercise frequency, now biennial, and we might say, well, let's give some relaxation and make it a once every three or perhaps once every four years. Of course, that would be tied in how frequently does FEMA have to make judgements on the adequacy of plans and preparedness, in order to provide a reasonable assurance.

This is the essence of the concept and I think it provides a lessening of the evaluator intensity. If you have any questions, please feel free to --

MR. AUMAN: Any questions? Yes?

MR. NELSON: Alan Nelson from NEI. I was wondering, for a clarification in point, have you developed a matrix or an analysis of which of the points that you put on will affect the regulations, which means, does this regulation change as we look at it and have people comment, or do any of these changes have the force and effect that would take further looking at?

This comment, for clarification, really applies to all the concepts. How does it affect the legal, how does it affect the guidance and what changes need to be made? That way, the matrix would understand the actual changes.

MR. MC NUTT: Well, any change to the exercise frequency would require a regulatory procedure.

MR. KANTOR: Yes, that would be a required change in the regulations, but as far as the exercise objectives, that sort of thing, we really haven't done a matrix, but that would not involve a change in regulations. That would be a change in guidance, correct.

MR. NELSON: What I think Bill and Falk are saying is that if you decide on a program where both sides, state and local, have done an exemplary performance and now they could exercise every third year, then that would create a

rule change, require a rule change?

MR. KANTOR: If we change the frequency of the exercise, yes, that would require a rule change.

MR. NELSON: How about any of the other objectives that you're looking at, I mean, as far as how does that affect 5047? How does that affect Appendix E? How would it affect any of the 10 CFR, you know, 44,350? Would that have any impact on any of these recommendations? I'm talking about a broader matrix that looks at everyone of those points made in determining at the outset what cause and effect it might have on the regulations and the guidance activities? It just seems like that needs to be packaged somehow.

MR. KANTOR: Well, eventually, we would have to, yes, take a close look at what the impact would be. But, at this point, we've already looked, as we have indicated. I also would mention, as I mentioned earlier, several states have moved in the direction of all hazards planning and they've included REP in there, and they've been able to accomplish that under the regulatory framework we have today.

MR. MC NUTT: Well, Al, in terms of the 44 CFR 350 approvals, the regulations don't prescribe how FEMA makes



these judgements on the adequacy of planned preparedness. We have, you know, over the years established this mechanism, so if we could change it, we would obviously change it to The Federal Register notices and other meetings of our stakeholders.

MR. KANTOR: And, also, conceivably, it could affect the memorandum of understanding between NRC and FEMA, too. That's another thing.

MR. NELSON: That's an absolute point. So, for thinking, though, once you have developed your final thought process, taking all these comments, that analysis would need to be looked at, cause and effect of regulations, in developing long term policy and limitation. The reason I ask for that qualification up front is, when you look at this in a broad sense, there are a lot of things, like you said, could be implemented on a regional basis without the long, protracted redevelopment of guides, reopening, you know, rules and regulations. There are a great deal of efficiencies that could be put in place without modifying the rules and regulations, and that's why I think the matrix is truly needed. Because, in the short, there should be short term goals of implementation, as well as long term.

MR. ESSIG: Yes, I think you made a good point,

Alan. I would just add that the committee for not only this concept paper but for all the others, is open to proposing changes to either FEMA's rules or NRC rules, if the changes that were to be implemented need to be done in that fashion, so we're open to that as a possibility.

MR. AUMAN: Any other questions? If not, I'll thank our panelists.

Our third concept paper is on exercise streamlining and will be presented by Janet Lamb, Bob Bissell and Woodie Curtis.

MS. LAMB: Good morning, everyone. I'm Janet Lamb from FEMA Region III in Philadelphia. I have with me Woodie Curtis from Region V in Chicago and Bob Bissell from Region VII in Kansas City.

I would like to say that in regards to Alan's comments, that none of these concepts have reached the stage where decisions have been made as to what is going to be implemented, and it has always been a part of our plan that we will look in depth at all the regulations, once decisions are made. We're still gathering your comments at this time.

As far as the exercise streamlining paper is concerned, it was pretty evident from the beginning that out of all the comments, 81 involved directly exercises and the

exercise evaluation process. During our deliberations, we separated all of these exercise issues into various groupings, and came up with a basic eight areas that we could look at as a means to continue to provide reasonable assurance, but meet your needs to look at a more streamlined exercise process.

The eight groupings that we came up with, Bob is going to discuss with you in a minute, and they involve things like expanding the credit policy, focusing on results oriented evaluation process and, as an attempt to provide you with a sample of what an evaluation tool would look like, we have come up with a sample and attached it to our exercise streamlining paper.

That is not the only way we could look at exercise evaluation, but it is one tool that could be used. So, to get on with it, Bob will discuss the eight areas that we feel could be used to affirm that reasonable assurance to protect the health and safety of our citizens does indeed exist. I hope to see all of you on Monday at our three region scheduling meeting.

MR. BISSELL: Thanks, Janet. As Janet has indicated, we did consolidate all the comments down to eight separate approaches to streamline the exercise evaluation

process. Some of the concepts that I'll address today, this morning, you've heard in the previous papers in a little more detail, but since they did relate, we have included them in the exercise evaluation streamlining process.

The first approach is the Results Oriented Exercise Evaluation Process. Currently, the exercise evaluation process consists of 33 objectives which were introduced in September of 1991. These are a sizeable number of points of review, which must be successfully demonstrated to meet the requirements of each objective. This process is very structured, as you all know, and leaves very little latitude for the evaluator.

The proposal is what we have termed the Results Oriented Exercise Evaluation Process. It has a reduced number of objectives. The checklist format is gone and the objectives are much more broad in nature. This allows the players to complete an activity without following a specific checklist.

For example, if an emergency response decision was made to perform a certain emergency response function and that decision did not necessarily follow the plans as far as responsibilities and procedures, it would not be an exercise issue. Players would have much more latitude to reach the

desired outcome. Evaluators would concentrate on the outcome of the exercise participation and not the means to complete the task.

The second approach was an increased focus on the radiological aspects of REP, which was discussed in quite a bit of detail earlier. Evaluators should concentrate more on the radiological objectives and less on the non-radiological objectives. Those non-radiological objectives could be demonstrated and/or observed by other means, such as credit for real events, other non-REP exercises and through staff assistance visits.

As you know, some of the objectives and points of review do focus on response procedures and capabilities which apply to any type of emergencies such as fires, flooding, tornadoes and other natural and technological hazards.

In addition, these objectives are routinely conducted by emergency respondents during various non-REP disaster exercises, such as hazardous material exercises, chemical stockpile and emergency preparedness exercises and other natural disaster exercises. Credit could be granted for these actual responses and the exercise activities. Staff assistance visits could be conducted by FEMA to verify

or observe these efforts.

The third approach is a consolidation of like objectives. Similarities between objectives and repeated exercise evaluations provide evidence that several objectives can be combined without adversely affecting the evaluation process. This would eliminate the redundancy and the points of review and shorten the evaluation process. This would possibly reduce the number of evaluators and the cost of the exercise, and we have included just some of the objectives which we felt could be combined for this process.

The fourth approach was to update the REP policy and guidance. The commentators felt that FEMA has done a poor job in updating REP policy and guidance to reflect the changes in the program. Some examples would be the change to the Emergency Alert System and the issuance of the new EPA 400 Manual of Protective Action Guides. Commentors were also concerned about the manual itself. They felt it should be designed to be user friendly, and to be easily updated with page inserts.

In summary, our goal would be to create a system which could quickly adapt changes in the program and design an exercise manual which can be easily updated.

The fifth approach is the changes to the frequency

of objective demonstration. There was a lot of concern here with the types of objectives and the frequency that we required them to be demonstrated. One of the suggestions included starting the exercise at the post-emergency phase and eliminating the emergency phase. Most of the commentators felt that we put too much emphasis on the emergency phase and we've exercised that portion of it to death. They would at least like to have the option within that six year cycle to forego that pre-emergency phase, emergency phase, and concentrate on other objectives, such as the six year objective, recovery and ingestion.

Another suggestion was to reduce the frequency of some of the drills and probably the most prominent suggestion was to reduce the medical drills to a two year evaluation instead of the current yearly evaluation.

More frequent demonstration, there were a lot of comments indicating that the states and locals would at least like to have the option of demonstrating some of those ingestion recovery objectives more often than what is currently allowed.

The last item on the slide dealt with the federal agency participation. The commentators felt that the federal agency should participate more frequently, especially during

the ingestion exercises. Most felt they needed to know more about the federal roles and responsibilities as they relate to the Federal Radiological Emergency Response Plan.

The sixth approach was the out of sequence demonstrations. We currently do that now, but the commentors had indicated a desire to greatly increase that policy. They would like to see out of sequence demonstrations included for such things as nursing homes, correctional centers, radiological laboratories, ingestion field teams, traffic and access control, dose calculations, monitoring and decontamination facilities, just to mention a few.

They also indicated that they would like to possibly demonstrate the ingestion portion of an exercise out of sequence of the plume portion, possibly even demonstrate the ingestion objectives during the off year.

Another concern identified, and we lumped, included it under this approach, was the concern that FEMA does not do a very good job in providing feedback to the players during the exercise evaluation process. They would like to see more immediate and more feedback to the players immediately following an exercise or a drill. They would like us to provide more information, both the positives and



the negatives, and possible solutions.

Another item or another recommendation that was made was issue correction, and that was also discussed a little bit earlier. The suggestion was made that exercise issues be immediately corrected, as identified during the exercise. For example, if the monitoring procedures were deemed to be inappropriate, the evaluator, possibly in conjunction with the state radiological officer, could provide some on the spot training to that individual and redemonstrate that objective right there. The issue could be shown as an area requiring corrective action in the exercise report, but it would also indicate that it was corrected and no further action would be required.

Currently, issues as you know are now corrected for redemonstration up to two years later. A positive and more meaningful experience would result when questionable performance was identified and was immediately corrected instead of delaying a demonstration to a later date. Of course, this wouldn't work with all objectives. Possibly, this would work best with the out of sequence demonstrations.

The seventh approach is exercise credit. Currently, there are only really two objectives per our

guidance that qualify for exercise credit, actual credit, and that would be off hours unannounced exercises and drills. However, I believe that most regions have been somewhat flexible on this and included other objectives.

The commentators would like to greatly expand this, though. They would like to include objectives such as mobilization, facilities and equipment, direction and control, communications, media information, rumor control, just to mention a few, to be included as options for exercise credit.

The commentators also felt that FEMA should develop a standard implementation guideline that clearly identified the objectives that would qualify for exercise credit and the required documentation that they needed to submit to obtain that credit.

The last approach is sort of a consolidation of some of the previous items we've discussed, plus a few additional ones. The commentators have clearly indicated to us that they were concerned that they wanted to have alternative approaches in lieu of the formal evaluation process for some of these objectives. One of the alternatives could be staff assistance visits and FEMA could conduct personal interviews with players during these staff

assistant visits, training sessions and out of sequence drills, for example, to verify credit for objectives demonstrated during other activities, such as actual events or during other exercises.

The out of sequence is another alternative. Again, we would expand those objectives and those facilities that could be conducted out of sequence. Credit for real events, we've discussed that in some detail. We would expand those objectives and provide the criteria for those objectives, to obtain that credit.

The annual letter of certification is another alternative verification or the annual letter of certification could be expanded to include such things as monitoring equipment, maintenance and calibration, personal dosimetry operability and maintenance records, potassium iodide requirements, shelf life, communication drill results and self-assessment reports. These all could be done in lieu of exercise evaluations.

Verification of the documentation submitted in an annual letter of certification could be accomplished by staff assistance visits by FEMA.

The last item, last alternative, would be self-assessment, and basically, jurisdictions below the county

level could perform self-evaluations or assessments of those objectives they are responsible for and these demonstrations could be documented in the annual letter of certification as mentioned earlier. Those are our eight approaches and concludes our presentation.

MR. AUMAN: Any questions? Yes, please?

MR. NELSON: Alan Nelson, NEI. I had a couple of questions for clarification. I don't really see these as eight steps but more of, you know, a process, in which one, the RAC Chair could apply many of these things. My real clarification is, aren't a lot of these really implemented today, a number of these alternative approaches? I ask this of you or any of the other RAC Chairs that are here. I was just trying to get an idea of where the flexibility lies right now with the RAC Chair to implement some of these credit for real events, technical assistance, out of sequence. Is that developed during the conductive drill, if people want to do things out of sequence and package them differently than you normally would?

MS. LAMB: A lot of those approaches are being done, depending on the region you're in, and the extent of agreements established during exercise planning. But, as you are all aware, there is not necessarily consistency

across the country in how these are implemented, and that, in fact, was one of the main reasons that we asked that the RACAC or the Regional Assistance Committee Advisory Council be formed, so that we could work together to bring as much consistency as possible in how these approaches or how these issues that are already underway are being implemented across the country.

We do think, though, that many of our concepts, all of our concepts, should be used in a coordinated effort to provide reasonable assurance with the exercise, with exercise credit, with giving credit for non-radiological objectives out of sequence, and maybe during other exercises, which now there are certain objectives that we can give credit for. We feel that can be expanded.

But, we would say that it needs to be a coordinated approach in order to identify and be able to provide our regional directors with the assurance that the health and safety of assistants would be protected.

MR. BISSELL: I think the main thing is, we're going to try to expand those options. Certainly, each RAC Chair does have some flexibility to do some things, but when we talk about exercise frequency and the certain objectives or additional objectives to be allowed credit for

demonstration during actual events, those are things that are somewhat limited now and I think would just basically give much more flexibility to the state and locals and allow them at least a clear indication of what can qualify, what can't qualify, what their options are now. They would know those clearly up front instead of negotiating these things and possibly getting it done in one region and not the other.

MR. NELSON: Thank you, I appreciate that. I'd like to ask you another question about the ingestion pathway exercises. Has the committee thought about the negative training that that may allow people to pursue and think of?

What I'm trying to clarify is, the worse case scenario, more frequently in the ingestion pathway, is really the unrealistic type of exercise. If we were to exercise realistic scenarios or realistic events, we might be better off prepared for real emergencies. I think you see that more in your all hazards type of exercise training.

I'm just wondering if expanding this into the ingestion pathway, I was wondering if you guys thought of that as driving continual, unrealistic focuses?

MR. BISSELL: Well, that's possible. We were just reacting from the comments and there were quite a few

comments and interest in at least allowing the states to have the option to demonstrate those objectives more frequently.

MS. LAMB: There are two definitions that we've seen in the Steering Committee for realistic demonstrations and they're totally different. The ones for those involved on site are completely different than those that involve entities off site. Some of the comments we received were that they wished to play ingestion recovery re-entry return objectives much more frequently, because they feel they've done a pretty good job on the response stage.

As far as on site goes, they would like to be able to solve the problems at the plant and end up without protective actions or creating problems that go so far out that we need to do the ingestion exercise. So, we're trying to weigh all these different types of comments in our evaluations, as well.

MR. BISSELL: The scenarios and the exercise objectives are, themselves, separate topics that will be addressed and could be improved, but I think the key word here is at least giving the state and locals the option of doing these things.

MR. NELSON: The exercise as we see it today, or

at least the licensee, is one of compliance and you've mentioned performance versus objectives. Now, couldn't the off site do drills on their own, which are really outside the scope of the compliance exercise, you know, like in the off year and things like that, and could they ask FEMA to come in and evaluate it or take a look at it or provide technical assistance? In a performance based process, one would identify weaknesses and do drills, possibly, to enhance training.

MR. BISSELL: That certainly is an option we've discussed.

MR. NELSON: Thank you.

MR. CURTIS: And, in some parts of the country, that's currently done.

MR. AUMAN: Any other questions? Yes?

MR. RENTZ: Good morning.

MS. LAMB: Good morning, Bill.

MR. RENTZ: Bill Rentz, Virginia Power. To follow up discussion in this point, you're making the point that certain states and locals like to have the option of demonstrating. They have the option of having the exercise on any day they care to. I draw a distinction between demonstrating and having something you perform evaluated.



Is there any consideration within the streamlining process for, if you streamline the objectives down to radiological specific, for example, and that rules out say, a staffing objective, Objective 30, if the state wanted FEMA to come in and evaluate Objective 30, even though it wasn't required, would FEMA have the option to do that? I would think the answer would be, of course.

MS. LAMB: All of those options are open now.

MR. RENTZ: Well, those objectives are required now.

MS. LAMB: They're required, but we do some of those out of sequence. In fact, we do them when the off site locations are looking at doing their dry runs before an exercise, we've looked at some of those objectives, Bill. It is one of the concepts that can be expanded greatly.

MR. RENTZ: I guess I'm drawing a distinction here between does everything that a state decides to demonstrate need to be evaluated? Is there a distinction between demonstration and evaluation?

MS. LAMB: One of the means of continuing to have, and this has been discussed with the Steering Committee, a coordinated, integrated exercise, is for the state to go ahead and actually respond to those objectives that are not

radiological in nature, but they may not be evaluated.

MR. CURTIS: In addition, as part of the state's training effort, they ask FEMA to come in and assist them in that manner, to assure that when the exercises do come around, that they can perform.

MR. RENTZ: Thank you.

MR. HARDEMAN: Jim Hardeman and I'm here representing the Conference of Radiation Control Program Directors today. I wanted to get at the exercise realism and kind of hit on the results oriented or results based approach here, because I think, Alan, there's a little bit of dichotomy between what your desired outcome is and what our desired outcome is.

The desired outcome, obviously, from a utility standpoint is that you be able to effectively respond to the incident with no release to the environment, you mitigate the incident properly and everything is over.

MR. AUMAN: Can I --

MR. HARDEMAN: Our desired result is that, should they not be able to achieve their desired result, that we have the capability that we can demonstrate to respond to the aftermath.

MR. AUMAN: Is there a question for the panel or

just a comment?

MR. HARDEMAN: It's kind of a clarification point here. I've heard you say and I just want to make sure that I'm hearing it, we have the capability to include any objective as frequently as we want to, or more frequently than is required, but right now, it's a money issue, because it requires additional evaluators, if we choose to have that objective evaluated.

Are you saying that we can demonstrate any objective that we want to, as frequently as we want to, and just not have an evaluator come and evaluate that? Is that what I'm hearing?

MR. BISSELL: Again, it would be up to you. If the state elected to have the option to not perform the emergency phase exercise in the fourth year of the cycle and just perform a recovery and ingestion exercise, that would be your option. We really don't have the answer to that yet. It could be formally evaluated. It may not be. Until we get all the comments together.

I see what you're saying.

MR. HARDEMAN: That's where this flexibility that we're asking for comes from. We don't want to put the utility into the position of negatively training their

staff, nor do we want to negatively train ours, but we do want to demonstrate, at least on a regional or national basis, that should this happen, that we do have the capability to respond.

MR. BISSELL: There were quite a few comments indicating that they would like to have FEMA provide informal evaluations, so that would certainly, I think, maybe tie in to where you're headed with this.

MR. HARDEMAN: Thank you.

MR. AUMAN: Is that all the questions? Thank you.

Our last paper on delegated state will be presented by Steve Borth and Rosemary Hogan.

MR. BORTH: Good morning. I'm Steve Borth. I work with FEMA in the Training Division up in the Emergency Management Institute. Assisting me is Rosemary Hogan from the NRC.

I'm going to discuss briefly this morning an overview of the delegated state paper and before getting into the details, let me just say about the name of this, the delegated state name is something that we've come up with for discussion purposes for this concept paper. The delegated state concept, if you've had an opportunity to read the paper, is proposing a different approach, a

fundamental change to the program as it exists today, and that, in a short statement, is delegating the function of evaluating exercises to state and local governments.

What we've done is attempt to bring together many of the themes from the comments at The Federal Register notice. Comments like, "FEMA places too much emphasis on one aspect of the program, and that is evaluating exercises." More partnership, more flexibility is needed, things like that. We've come up with this delegated state concept, which we believe still allows FEMA to provide the reasonable assurance findings to the NRC. It just changes the manner in which that information is obtained.

This paper, as it is in existence now, does not include a lot of the implementation details that would need to be developed.

One thing that you need to know about this concept is that the delegate state status is site specific and is sought voluntarily by a state. It's not something that's granted automatically and it's not something that FEMA would be just handing out to all sites. Three fifty approval for the plans would be one of the requirements for entry into this delegated state status. It provides baseline, we thought, for this program, and the program would increase

the importance of the annual letter of certification. In fact, it would then become the primary oversight vehicle that FEMA would use to determine the reasonable assurance findings.

Again, one of the primary points of this is there would be non-federal evaluation of drills and exercises and followed up by what we call supplemental verification, if necessary, and I'll discuss that a little bit later.

We've outlined a proposed recommended application process in the paper and that would require a letter from the governor or his or her designee that the state which seeks this delegated site status. It would include commitments to follow 0654 requirements. It would include a description of the state's plan for evaluating exercises. It would include the plan for correcting any issues which were developed out of the exercise and it would also, most importantly, include some kind of statement, we think, that coordination has taken place between the state and locals and that everyone is in agreement that this delegated state status is something they desire.

Once again, the state and locals would conduct and evaluate the exercises on their own. The program would include a lot of use of the annual letter of certification

and a standard format would be required for all the delegated states and this could include the information that's already required in the guidance memo which talks about the annual letter of certification. It's called PR-1.

It would include the exercise report, any corrective actions that have been taken, and FEMA would be placing more emphasis in this delegated state program on plan updates, and looking at that side of things a little bit more in detail.

So, review of the annual letter of certification from FEMA's viewpoint becomes very critical. It would, of course, have to be transmitted as it is now, and FEMA would rate all the categories of information provided in the letter of certification in one of three ways. Whether it's acceptable, acceptable with recommendations for improvement or unacceptable. We'd be looking at the total picture to determine reasonable assurance or continuing reasonable assurance.

After examining the ALC, one of three reasonable assurance findings would be made and this is different than what currently exists. Currently, as we understand it, it's yes or no, reasonable assurance exists. We've added a mid ground here. Reasonable assurance exists, but the program

needs improvement.

In delegating the evaluation function, the states and locals would have to use the FEMA endorsed evaluation methodology, whatever that might be, after this whole process. Evaluators would need to be trained. There would be state, local and perhaps other evaluators, whatever the state would propose and have approved by FEMA. If necessary, and the state requests, FEMA might be able to supplement on the state evaluation team and provide other federal agency representatives, as well, for their technical expertise in evaluation.

This program would also incorporate any kind of revised credit policy that's developed and was discussed by the previous paper, exercise streamlining discussed that quite a bit. If necessary, FEMA could go out and examine specific portions of the state's program, called the supplemental verification. I think one of the previous papers called it readiness appraisal, something like that, beyond the annual letter of certification, if problem areas continue to exist.

Frequency of these kinds of things could be based on performance. Good performers would have less frequent supplemental verifications in their program. Performers



that continue to have problems might have their program evaluated or verified a little more frequently.

One of the big issues that we think might be connected to this concept is a financial issue. Since the state and locals now under this concept would have the responsibility of evaluating those exercises, that poses an additional resource issue. So, we thought, what are the options for funding? FEMA might pass through some funding somehow. Maybe the utilities would help fund the program. Maybe the states would fund it on their own, and perhaps some other combination or some other creative financing approach could be used.

Since this is such a change in the way things are done today, we thought it might be best to, if this concept proceeds, to identify some volunteers or pilot states and perhaps phase this kind of concept in. We realize it's probably not something that all sites or states would seek and maybe some of these other concepts would be done first, exercise streamlining, those kinds of things could be done first and then phase this concept in over time, if that's what is decided.

Since not all sites or states would probably seek this status, what about the non-delegated states? Well, we

haven't given as much thought to that, but what we've outlined here is that FEMA would continue to evaluate those states and those locals, using any kind of evaluation tool in the process that develops after the strategic review. There would probably continue to be a negotiated extent of play and an annual letter of certification would still be required of those sites.

A number of advantages we felt to this approach, to this concept, is that many of the comments from The Federal Register notice say there was no real benefit to getting this 350 approval. Well, if you tie delegated state status into requirements for the 350 approval, then there's some tangible benefit.

Increased flexibility to schedule exercises, to determine what you demonstrate during exercises and how you correct the problems, and we felt that might provide an increased ownership, as well, could be less costly in that you're not having a bunch of federal evaluators come in. There would be a standardized annual letter of certification, and it would allow FEMA and other federal agencies to refocus their efforts in this program away from the biennial training exercise to reviewing plans of technical assistance or program assistance, workshops,

training and those kinds of things, and a big one would be exercise participation, as well.

A few disadvantages, we've listed. Certainly a perception that self-evaluation could be less objective than an outside third party coming in and evaluating an exercise.

Additional resources required at the state to implement this program, certainly an impact on FEMA and state and local staff. If one side of the house loses this responsibility and the other side of the house picks it up at the state and local level, so some kind of impact there on job responsibilities and training effort.

In fact, there most likely would be a dual or parallel program, the non-delegated states and the delegated states, and that would be a more difficult job in administering the REP program, rather than just having just one program across the entire country for all sites.

Needless to say, as discussion earlier, some changes to regulations might be required and that's a lengthy process.

So, that's an overview of the delegated state paper. Thank you.

MR. AUMAN: We realize you probably have comments and points you'd like to make about this particular one, but

we would ask if you have any questions at this point about the delegated state concept, we'll take those now?

MR. GRAHAM: Yes, Ron Graham, USDA. Steve, this delegation is going to be for all objectives, or are they going to divide them into plume versus ingestion?

MR. BORTH: The way the paper is described and the concept described at this point, we haven't looked specifically at any objectives. It's across the board the way it's described right now, all exercise objectives.

MR. GRAHAM: It seems to be, if you go for certain objectives, there could be a reduced participation on some of the federal agencies.

MR. BORTH: Well, that's why I said, in the state's application process to become a delegated state or even as the exercises go on and planning the exercises, the state may, under this concept, request FEMA and perhaps other federal agencies, to come in and assist them in evaluation. We're not ruling that out and we're hoping that your agency, in particular, USDA and others, would remain involved in this aspect.

MR. GRAHAM: We don't want to back out. We'd like to get further involved in it, instead of allowing, I guess, the system to allow the states to back us out of it.

MR. BORTH: Well, the concept as it is now is that it would be the state's call.

MR. AUMAN: Over here, George?

MR. URQUHART: Thank you. This may not be quite as loud as the others, but anyway, George Urquhart from the Commonwealth of Virginia. We did at the Kansas City, one of the meetings, decide that or advocated that Virginia, the Commonwealth, might be real considerate of being a delegated state. Obviously, I see that there are significant concerns and issues that involve that.

I think Steve made the point when he started out in his presentation today that this is clearly a fundamental shift and it's a fundamental change. I specifically make that -- and I think that's interesting for us in this millennial or in this time, that we begin to think outside our normal tradition of doing business in this regard.

Clearly, I see the dual approach and there are some communities, if delegated stays successful, then a component or constituent services and resources need to be maintained within the federal family so they can evaluate those other communities that may not be a delegated state.

MR. AUMAN: Is there a question, George, or is this a comment?

MR. URQUHART: Well, in a sense, yes. The question that I had had to do with more importantly, the resources that locals or states might to enlist or have. As Ron has just pointed out -- this would be more of a comment toward the paper and issue here -- that there is no move on the part of any of the delegated states, at least not from Virginia's standpoint, to exempt or any of the federal family from coming in or being a part of this community when we evaluate.

But, I think all that we're saying is here we have released a body of knowledge, a body of information, that's, to some extent, and I want to make sure that this point is coming here, to some extent is maintained within the bowels of a federal family. I don't think in these times that that is quite true. And, I don't think that is necessarily a protection of or should not be viewed as a protection of our livelihood or things like that.

MR. AUMAN: Okay.

MR. URQUHART: I just want to make sure that point is clearly made with regard to information we have. The joint publications and the guidance we have, with the intelligence in our community of consultants, engineers and state level personnel, can be replicated, and is replicated,

and not just retained in a federal family. Those are the points I wanted to raise and of course I'll have an opportunity later on. I wanted to talk about reasonable assurance finding, where is it risk based and so on. Thank you.

MR. AUMAN: Okay. Question?

MS. KUHR: Yes, Tina Kuhr with Duke Energy. I guess I want a basic question, because the delegated state concept is based on first the state having 350 approval and I'm just trying to understand the difference between a finding of reasonable assurance and a 350 approval of a plan. I guess I haven't been in emergency planning as long as some people, and our plans were all approved, and I believe even our state plans have received 350 approval before I came into the group, so I wasn't involved in that process. I guess I don't understand the difference or maybe somebody could explain?

MR. BORTH: Your question, again, is the difference between a 350 approval versus reasonable assurance?

MS. KUHR: Correct.

MR. BORTH: In 350 approval, my understanding is that 350 approval of a plan's preparedness equates to

reasonable assurance that the public safety can, in FEMA's view and will, in the NRC's view, be protected, and every other year, then, that is reaffirmed by an exercise which is conducted without any deficiencies, or if there are deficiencies, those deficiencies are corrected within 120 days.

So, reasonable assurance is a continuing thing.

MR. NELSON: Alan Nelson, NEI. But, you can still have reasonable assurance and not have a 350?

MR. BORTH: That's correct. There are 12 sites currently that do not have 350 approval and have been operating and they have what's called an interim finding.

MR. NELSON: So, why would a mandatory 350 be required?

MR. BORTH: Well, several of the comments at least to The Federal Register notice was that why get a 350? The 350 process has no tangible benefits. Seeing that comment, we thought, let's take that into consideration and hinge this delegated state status on having 350 approval.

MR. AUMAN: Next?

MS. PAICE: Hi, Steve, Sandra Paice. You talked about a pilot program for possibly doing these delegated states. I'm curious, if you're looking at something like



that, can you give me some specifics how long, what type of application, do they contact you? Do we have to provide certain information? Do you have to have certain amount of plants? That type of thing, could you give us maybe a little bit? Has it gone that far, or is this the tip of the iceberg?

MS. HOGAN: No, I think you hit on it just now. It's not gone that far. One of the points we made earlier was that implementation details have not been developed. This is a concept at this point and in Anne's presentation, she also provided a slide that said in the larger time frame, that these proposed recommendations would go to Director Witt. Details would come out much later.

So, the details of the application process are outlined in here possibly, in the paper, but certainly nothing has been developed.

MS. PAICE: So, we would be more at the implementation phase when something like this would happen and not so much in the planning phase of it?

MS. HOGAN: That's true, and this is a concept. This is not a plan or a program yet. It's a concept.

MR. BORTH: Yes, if something like this were to happen. It's quite possible that after these series of

stakeholder meetings, that this concept goes away. It certainly, by our reading so far, has not received overwhelming support, yet there are a few that seem to, appear to like the idea, even without the details.

MS. HOGAN: Of course, during the pilot phase, any of those states that are participating would be providing input into the good points and the bad points, so that if it were a program that was being implemented across the board, further details would come out much later.

MR. NELSON: Alan Nelson, NEI. So, what you're saying is, if a state wanted to do the pilot, then they would be part of the planning process, to develop this paradigm shift, rather than you develop the process and look for a pilot to demonstrate it?

MS. HOGAN: That's the whole concept of this strategic review, is getting the input from the participants and the stakeholders. So, any pilot state would be a stakeholder, too.

MR. AUMAN: Any last questions? If not, I'll thank Steve and Rosemary.

We're going to take a break. We're well ahead of schedule, so when we come back from the break, we'll have four panelists, one from each of the concept papers up here,

and we'll begin taking your comments and prepared responses at that time. I have ten of now. We'll start about five after, about a 15 minute break. Thank you.

(Whereupon, a short recess was taken.)

MR. AUMAN: If you'd like to take your seats, we'll begin taking comments.

(Pause.)

MR. AUMAN: Okay, we're going to begin taking your comments and responses at this time. A couple of points before we begin. If you did not call in and specifically ask to make comments today, that's all right. You're more than welcome to offer any comments you would like to give. We found out yesterday that somebody didn't come up and offer a comment because they thought they didn't make a reservation. No reservations required. Please feel free to come to either microphone and make your comments.

Once again, we're going to enforce the five minute rule. We would ask you to limit your comments to five minutes. I'll tell you when you have one minute left. At that point, I would ask you to please summarize or conclude your comments. Again, we have plenty of time, though, and we would encourage you, if you have more that you would like to offer or more comments, please come back again.

Either microphone is fine. Please come down when you're ready and offer your name and your affiliation for the reporter and then you can begin your comments. We have four panel members up here, as well, one from each of the four concept papers that you just heard and if you have a question for them, they'll be here to answer that, as well.

So, we're ready to begin. Whoever would like to come down to the microphone, please feel free.

MR. RENTZ: Good morning. My name is Bill Rentz. I'm with Virginia Power. I'm the director of emergency preparedness for Virginia Power and I've been with Virginia Power for about seven years and I've been in the emergency planning discipline, I guess you'd call it, for about 17 years.

First of all, I'd like to congratulate you for taking on the strategic review. It is not often that you see a strong customer focus coming out of a federal agency or federal agencies. I include the NRC and their participation in this regard, in order not to get in trouble later.

You have the opportunity to better your program. I think the question here we all have is, what is better? The four concept papers presented here today, in reading

them and actually my view in reading them was confirmed today and that is that the scope of many of these concepts is yet to be defined to any specific level of detail. I'm greatly encouraged to have the opportunity to talk to you for a few minutes prior to the superstructure being formed.

While the NRC has overall responsibility for emergency preparedness at a fixed nuclear site, they look to FEMA to reach the finding of reasonable assurance. FEMA has a responsibility to establish and maintain this finding.

I draw a distinction between establishing and maintaining a finding and to keep my comments brief, I'd like to just give you an analogy. I don't know that it's a very good analogy, but it's the best I could come up with. My house was built in 1984. At that time, a contractor came in and dug the footings. The building inspector showed up and inspected the footings. When the footings were poured, the building inspector came back and looked at the pourings to make sure they were adequate.

When the house was framed, the building inspector returned. Wired, the building inspector returned. Once the certificate of occupancy was issued for the house, I don't have the building inspector coming back every two years to take down plaster board to see if the wiring is still good,

to see if the footing is still good.

What I am suggesting here, I'm drawing a distinction between establishing the reasonable assurance finding and what it would take to maintain it. FEMA has selected the exercise evaluation process for the last 14 or so, 15 years, in determining or reaffirming that reasonable assurance finding.

I think once you establish it, the word reaffirmed here has been used often this morning. Rather than reaffirm, I'll use the term maintain. Certainly, it would take considerably less resources and more efficient use of resources, to be able to maintain that finding of reasonable assurance. I encourage you and invite a comment from any or all of you with respect to do you agree that maintaining the finding should take less resources and as so, do you think you'll be considering that as you further provide detail to each of the concepts?

I am greatly encouraged by each of the concepts. I think each one of the four have merit, including the last one. There's nobody that takes better care of my children than myself -- my wife might argue that point.

(Laughter.)

MR. RENTZ: But, I take on that responsibility.

That level of government primarily responsible for health and safety is the local government. I appreciate them having or being considered to have the potential opportunity to reassume that responsibility.

Prior to TMI, utilities didn't have a very good working relationship with respect to emergency response with respect to off site authorities. I think we have that today.

I think the NRC, one example to point to, I think the NRC has recognized the maturing of the emergency preparedness program within the industry. One example is the consolidation of the SALP. SALP stands for Systematic Assessment of Licensee Performance.

A number of years ago, there were seven different SALP areas. In the 1992 frame, I want to say, those SALP areas were consolidated into four and emergency preparedness was pulled in with three others in that consolidation. I think the NRC has recognized that the industry program has matured. I think the state and local programs with respect to radiological emergency response has matured tremendously.

MR. AUMAN: You have one minute.

MR. RENTZ: Thank you. I think the virtue provided by utilities working closely with state and local

governments, I think, speaks volumes, to what the results have been coming out of NRC regulations and out of FEMA regulations and out of the application of those regulations.

So, again, I strongly urge you to draw a distinction between what it took to establish that finding of reasonable assurance and what it should take to simply maintain it. Thank you.

MR. AUMAN: Thank you. Please feel free to use either microphone, by the way.

Next?

MR. NELSON: Good morning. My name is Alan Nelson. I'm senior project manager with the Nuclear Energy Institute. For the record, NEI represents about 300 companies and organizations worldwide, engaged in the beneficial uses of nuclear energy. NEI provides technical support and regulatory issues, evaluation on generic issues affecting the nuclear industry, NEI and industry interaction, develops consensus views on generic issues and communicates these views.

We have provided a number of responses and we applaud the efforts and the recognition of NEI and the industry in moving the strategic review to this point in time. We did meet as an industry group and review the



comments and suggestions that were made on the concept papers. We met at our offices on November 12, 1997, a full day session and more and reviewed the points of view that we would like to present.

I have provided Nancy Goldstein with written comments today that will elaborate on the discussion that I'm going to make now. Given the time allowed, we offer these comments and I'm going to split them in two parts, just so that there's a difference of the two. I'm going to look at the exercise evaluation focus and then come back later and talk about some program enhancements and then with some conclusions.

This process is a little awkward, because it breaks up the continuity of the presenter, so when you read the transcript, it's going to say NEI, and then someone else, and then I'm going to come back and do that, so I think that's a little bit confusing.

In regard to the exercise streamlining, we think that you should place priority on the exercise recommendations, develop an aggressive action plan and schedule for implementation. There's a lot of merit, there's a lot going on that's already been. Consistency, I think, was brought out earlier. We definitely feel that a

project matrix for this whole project needs to be developed.

How it affects regulations, how it may affect guidance, what's its impact? I don't mean cost benefit impact. I mean, benefit benefit impact. What could be done early on and what would take more longer term looking at?

In the area of the exercise evaluation, we need to emphasize greater program efficiency, exercise streamlining is imperative, maximize flexibility. We think the use of the annual letter of certification can be expanded, as you had noted. It should be used as a self-assessment tool, as it is, and expanded upon that, it should be used as an alternative to some exercises.

On regard to the delegated state option, I kind of feel that that should be delayed until some of these other processes can be put in place. I applaud your creative paradigm shift in thinking. It's evolutionary, and should be applauded for that, but there are many other things that could be put in place that could create more efficiencies to benefit both FEMA, state and the industry.

Just to build on what Bill Rentz had mentioned from Virginia Power is the effect of monitoring reasonable?

Sure. FEMA should continue to maintain the current level of evaluation for initial licensing exercise. But, once its

initial licensing exercise has been conducted, an operating license is issued and the role for maintaining the assurance of public health and safety should shift to one that monitors.

Implement, in another category, implement enhanced program review. In this category, allow for drills and exercise flexibility, focus on results, outcome and meeting objectives. Reallocate FEMA resources to areas of greater needs, as in the all hazards approach, where that may need, because that's where your everyday event is. If we're not prepared for those, then we will never be prepared for the nuclear.

MR. AUMAN: You have one minute.

MR. NELSON: I'll just sum up in this activity and come back and expand on a few of the other points. In addition to that, perform inspections to satisfy objectives during the exercise that you had already discussed. We encourage that.

Develop a minimum criteria for reasonable assurance and lay that out and let it be known. In conclusion of this particular point, is that we believe that you should reward good performance and look at a three or four year certification or exercise frequency. But, the

criteria for that would need to be developed. Thank you.

MR. AUMAN: Thank you.

MS. KUHR: I'm Tina Kuhr with Duke Energy Corporation. I've kind of grouped my comments along the lines of the concept paper. As far as the partnership and REP program, we believe FEMA needs to increase the federal and state partnership. They also need to allow flexibility and REP to be results oriented and focus on outcomes, no prescriptive methods.

We agree with the concept of revising REP 14 and 15 to consolidate related objectives. We are also encouraged by the trend toward allowing more self-evaluation. We believe FEMA needs to focus on preparedness and reasonable assurance, not just exercises and that there are other ways, such as assisting or doing program reviews, to assure that.

We believe there needs to be an increase in stakeholder involvement and policy setting and also an increased use of other federal agencies for technical expertise. One suggestion we would like to offer would be for FEMA to sponsor regional REP workshops, with a focus on information exchange among participants to make use of the states and counties' expertise and to allow them to share

that in that kind of forum.

We also believe that the Emergency Alert System guidance needs to be updated to reflect the changes in the system.

As far as the paper on radiological aspects of REP versus all hazards. We believe in allowing expanded credit for responses to actual emergencies and agree that there should be a standard national policy for this.

We also should look at what aspects of preparedness can be evaluated through inspection, rather than exercises and make that more of a continual process than a once every two year event.

We also see that you could have integrated exercises where you're testing all aspects of emergency response, but only evaluating under the REP program those REP specific objectives.

The delegated state concept, we weren't quite as comfortable with the amount of delegation. We think that FEMA needs to maintain some degree of oversight similar to that of the NRC, where they allow the utilities, as the programs have matured, more self-evaluation, but they still maintain an oversight of the process, such as sitting in on our critiques, to make sure that we are being self-critical.

As far as exercise streamlining, again, be results oriented. Focus evaluation resources on those areas where there have been either problems generically, if there are certain objectives that have had problems countrywide, or areas that have had previous problems at that site. That's where the resources should be focused.

We do not believe that the frequency of relocation, re-entry, return and ingestion objectives should be increased because of the low probability of these events, but we could be supportive of having two plume and one ingestion exercise and have like an ingestion only exercise in a six year cycle. We also believe that the frequency of MS-1 drills could be changed from annual to biennial. Even the NRC is recognizing with maturing of the program that our on site exercises don't need to be done annually, and I think this would be appropriate.

We also might want to look at whether we could do more separation of the on site and off site exercises. For an ingestion exercise, perhaps the utility could just serve as a control cell and not necessarily have to have negative training of our own people toward failure. So, those are the comments that I had to offer.

MR. AUMAN: Thank you.

MR. HARDEMAN: My name is Jim Hardeman and I'm the chair of the Emergency Response Planning Committee of the Conference of Radiation Control Program Directors.

First off, I want to applaud FEMA for including us in this process. I look forward to the day when the seats are arranged a little differently. When the seats are kind of arranged in a circle and we're all sitting together as equals. That kind of leads me into the partnership concept paper.

It's no surprise that as states, we strongly support the partnership concept, but we don't want to just limit it to a partnership between the states and FEMA. We want to make sure that the other members of the federal family are included and excuse me a moment -- we also want to make sure that FEMA partners with its own regional offices. We want to make sure that the members of the federal family work with us effectively. We also want to encourage through this process partnerships between states on a regional basis. These regional partnerships could be used as an effective vehicle for federal exercise play. They could be, as was pointed out by Tina just a moment ago, they could be used as effective vehicles for exchange of technical information between states. What I see as FEMA's

role in this partnership is the facilitator, to facilitate this exchange, to facilitate that exchange of information between the partners.

Also, one additional area that we see that FEMA may have a crucial role is identifying capabilities and assets, particularly in these days of increasing budget pressure, that cannot be allowed to erode or to disappear. This is not only just in the REP arena, but also in the anti-terrorism arena. Much of that work may have already been done.

This could, perhaps, be accomplished through the FRPCC, as opposed to just having it be strictly under the FEMA letterhead.

The alternative approaches that Tom Essig so clearly laid out for us, we like those. We think that those alternative approaches have a lot of merit, but I want to make sure that we focus everything that we do on real preparedness. After we've focused on preparedness, then concern ourselves with how do we demonstrate that, how do we prove that to ourselves in an exercise, that that level of preparedness really exists? We always have to focus on preparedness and not just the demonstration of that preparedness.



We view the incorporation of the REP program into an all hazards plan not as fragmenting an exercise, but we view it rather as integrating the radiological emergency preparedness function into the overall scheme of emergency preparedness. Right now, it seems that we have two programs. We have an all hazards program and then over here, we have a REP program, often with duplication of effort and we want to try to fold REP and bring REP into the fold.

Exercise streamlining, we strongly support a results oriented exercise program. That gives us the flexibility to take alternative approaches that reach the same end. But, part of that, and this goes back to the partnership, is that all of the partners need to come together to agree on what those goals and what those desired outcomes ought to be, and then we'd go off and determine in our particular situation, how do we best achieve those goals.

MR. AUMAN: You have one minute.

MR. HARDEMAN: To get a little bit detailed, we do support the production and frequency of MS-1 drills to once every two years. To answer specifically a couple of questions, I think I probably already answered them, but I

will, anyway, should FEMA's role be redefined from evaluator to partner. The short answer there is yes. Would REP be more effective by focusing more on radiological activities?

Again, the answer is yes. We support, we need more federal exercise participation, some of the ideas that have been brought out here concerning maybe having ingestion only exercise once every six years, I think we could support that. But, again, I think we'd rather see those activities on a regional basis, which would maximize the benefit from our other federal assets. Thank you very much.

MR. AUMAN: Thank you. Other comments? Time for the second go around?

MR. NELSON: Alan Nelson, NEI. I was emphasizing the need to go back and look at the exercise evaluation recommendations. I spoke to you a few minutes about monitoring the reasonable assurance implement enhancement program review.

In continuation of that discussion, I'd like to talk now about consolidating the evaluation process. The guidance for evaluation of the full participation exercise should be revised to build upon the initial finding of program adequacy. Consolidation will result in a significant reduction in the evaluation process burden for

each evaluator, thus providing the basis for a targeted review and an overall reduction in the number of evaluators used during a typical exercise.

Some of the points were discrete drills, independent of exercise, could provide efficiencies. Personnel monitoring, congregate care, field team monitoring are typical ones. We feel that REP 14 and 15 should be revised to focus on radiological performance and objectives.

And, the third item in consolidation is focus on preparedness, not just exercise compliance.

Looking at limiting the biennial exercise to previously identified concerns -- if you've got that benchmark, then you should be able to come back and do site specific weaknesses that have been identified, look at what industry learns from a generic point of view from the total global industry, and I understand that FEMA does keep tabulations on tracks and trends and identified weaknesses.

Was it done on an annual basis or semi-annual basis? We would like to see that published in some format to identify what those weaknesses are, so we can insure, we can capture them from the industry point of view, to insure that they're built into the scenario generically nationwide.

I don't think that we've seen a -- we've seen bits

and pieces at the REP conferences and here and there about identified percentages of identified offers and etc., but I think we need to package that a little bit better.

Also, these discrete exercises or previously under this would be new procedures and new equipment would be utilized and tested under these type of drills and exercises.

In considering efficient approaches to determine reasonable assurance, we think we need to focus on determining areas that can be inspected, rather than demonstrated through exercises. Such things as alert and notification, public information, equipment and facility readiness and interview emergency response organizations, to get an understanding of their knowledge level, to insure response readiness training is effective. Just by interviewing them, you can go a long way in finding out what their knowledge level is and how they might implement it.

Another area that might be looked at as consolidating long term objectives, such as relocation, re-entry, return ingestion pathway was what was said. Do it separately and more efficiently. Again, another area where effective approach might be again is to re-look at the annual letter of certification and how that would apply and

how people can utilize that more efficiently.

I mentioned earlier, because of the potential for negative training, I encourage you not to use unrealistic scenarios. It's misleading to the public, it's misleading to the players and the responders.

Utilize real events in real time, and I know this is difficult, but it can be tried as a pilot to see how it works and see if it does meet the criteria and goals. I want to emphasize what others have said about modifying the medical drill frequency requirements. I'm not sure that we really need to look at a two year cycle, but we need to look at a performance-based process. How that works is, if you identify through self-evaluation or review that you do have a weakness in that area, then that would be trained more and drilled more frequently.

So, the time frequency is not that critical. It's the performance of the outcome of that activity that really is time critical. If you have an off site organization, I'm not just talking medical, that shows poor demonstration, normally they would do a remedial, right, and then they would heighten that performance. But, performance-based process is an ongoing process and many of the utilities use it and I advise you to look into that, how it is done and

how it is built into the program.

The recent passing of the 5054T, I believe, allows for performance based reviews and it moved it from a one year review to a two year review, and significant changes to -- this is an NRC regulation, but it's built on performance base, identifying areas of weakness which I think are critical to the program.

There are two areas, program enhancement, which really falls into the partnership and the delegated state. Specifically, we feel, as I said earlier, the delegated state initiative, while it shows a paradigm and almost ingenious look at it, we think that that should be delayed until these other levels of effort. We'd hate to see FEMA resources being dedicated to a long, drawn out process that may or may not be applicable to all.

You're more effective in using your resources, which would support the majority of the off site state, local and the industry. But, in the program enhancement recommendations, recognize the role of protecting the public health and safety is the responsibility of the state, which you already do, and local response organizations. I think some of these points were made, but I'll reiterate them just the same. Sponsor FEMA information exchange workshops. As

Jim had mentioned before me, this is a partnership program.

Being involved in the program, the ability that we have to work with you during the SERF is a prime example and I think the desired outcome was met just the same.

Invite FEMA to participate in state training, utilize state expertise when developing radiological standards. There's an awful lot of expertise out there in the state. And, permit self-evaluation with maybe modified from the delegated state which permits self-evaluation with FEMA oversight could be a cross-over from the delegated state, where the state could do their own self-evaluation, but then validated and verified by FEMA. That may be a different interpretation of the full delegated state, but receiving the same goals. This way, you need less FEMA reviewers at each location, but then they again would validate the final report and the follow up items.

Again, emphasizing provide credit for real events.

I really think we need to focus on preparedness rather than exercise compliance, and by having a consistent policy, that would certainly go a long way.

Use of self-evaluations, I think I've discussed that. I think in the short term, FEMA should maintain the oversight while these other programs are matured later on.

State and local evaluators provide knowledgeable base and expertise, as you're well aware. I think this probably came out, as I saw, from some of the notes that came out of the Kansas City meeting, you certainly have gotten a lot of input from the actual stakeholders, the users, and their expertise has been expressed to you.

In conclusion, the industry believes that adoption of the approaches proposed place NRC and FEMA in a leadership role and we applaud you for that, as they actively pursue reforms that would significantly improve efficiency and cost-effectiveness. This process will enhance response capabilities of the state and local jurisdictions, do a shift in the role from evaluation to one of more technical assistance, and finally, enhance the response capabilities for the use of state and local officials in the evaluation capacity.

NEI and the industry appreciates the time that you've given us. I don't know if I went beyond my five, but I appreciate that.

(Laughter.)

MR. AUMAN: Would anyone like to take a guess, yes or no?

MR. NELSON: If we can work with you in a



cooperative, full manner, we certainly would appreciate that. Thank you very much.

MR. AUMAN: Thank you, Mr. Nelson.

MS. LAMB: Thank you.

MR. AUMAN: Other comments, please?

MR. HOLDEN: Good morning, I'm Robert Holden, director of the Nuclear Waste Program for the National Congress of American Indians. We're headquartered here in Washington, D.C. We have a constituency of, responsibility for over 550 tribal governments throughout the country, but our membership comprises about 250 tribal governments at this point in time.

A few comments regarding policy, some substantive issues, and I'll be putting these in a letter at a later date, but I guess in terms of this particular meeting and its format, talk about notice for a moment. Had attempted to go to the meeting in Kansas City, but I guess we were not invited, matter of fact, told that we weren't to be invited because we were a national organization. But, the fact is, we serve this role through many agencies, in terms of looking at the responsibility of federal agencies in implementing the trust responsibility to the tribes. So, we missed an opportunity to represent those tribes who did not

have the resources to attend that meeting, and there are a number of tribes which you may be aware, are within the ten mile EPZ and the 50 mile ingestion pathways. So, they have a right to be at these sessions and they have a right to be represented and we urge this body to be mindful of those concerns, because even though they are not here, those concerns need to be addressed.

These tribes, as you are aware, are not merely stakeholders. They are super stakeholders, if anything, because of that trust responsibility. We've worked with FEMA, well, we've worked with a number of agencies in development of Indian policies, to implement these ideas and concerns of this fiduciary duty, and we're doing so with FEMA at this point in time on these aspects of Indian policy, which will incorporate the concerns of REP's strategic review.

It may be that because tribes have not been players in these activities, that they may have the benefit of not having to go with some of the states and other jurisdictions have done in terms of some of the burdens which you are in the process of streamlining. Perhaps the good news is that, with your expertise and with the work you've done, they will have the benefit of not having to

undergo some of those headaches that some people may have felt they've gone through in the past. So, we do appreciate that, but then again, we do not know.

There are some concerns regarding, I guess, issues such as this delegated state nuance, because states and tribes do not have the best of relationships. These enabling acts that states pass to become states usurped tribal jurisdiction. They took their lands through federal government participation, so many of these lands are still - the tribal people that live there do not feel that they ever left, or that they should be passed and they still have that connection and they still are caretakers of those lands. So, that's something that you need to be mindful of, as well as the aspects of jurisdiction, the environmental quality, the fire and police protection that tribes have to exercise to insure the health and safety of their population citizens, Indian and non-Indian, as well.

So, if, you know, I'm not saying that states won't look after states, but if the past record which shows that states have not done that environmental quality, I think we might have some concern in terms of state regulatory functions in this matter.

I would propose that perhaps maybe we should have

a FEMA tribal REP strategic review meeting to look at these aspects which may not have been addressed and I'll gladly work with you to make, perhaps, a meeting of this sort come about. With that, as I said, I will put some of these comments in writing and I guess that it's just that we in the Indian country have to be careful in terms of what we relinquished and what we're supposed to be taking care of. We've been told that we have certain instructions and we have certain things to do, and we can't leave these up to trial and error, so I thank you.

MR. AUMAN: Thank you. Any other comments?

MR. SIMPSON: Andy Simpson from the Commonwealth of Pennsylvania. We've indicated in writing and also at Kansas City were very much supportive of the process that's going on and we look forward to the next stage as it continues. I think as I say, we suggested in Kansas City that the four concept papers at this point probably need to be two -- the delegated states being one, the other integrated and interacting aspects of the other three papers probably moving into one. We look forward to that.

Again, thank you for the opportunity to participate. Just a minor question as to the logistics. A couple of the speakers have mentioned there will be written

processes, written submissions. Will all of this be on the REP home page? How will we get access to the totality of what has happened here today? I hope not till we wait to get The Federal Register notice.

MR. AUMAN: I'll leave that for Anne, who is going to address that in her closing comments, but she will talk about where this information will be available to you.

Any other comments? If not, I'll thank our panelists. One administrative comment before I turn it back over to Anne. Nancy Goldstein has asked me, if you came in today and came in, perhaps, the other door and did not see the sign up sheet outside, we would ask that you do quickly on the way out. Just stop off and sign in your name and your affiliation on your way out the door. We'd appreciate it, and I'll turn it over to Anne.

MS. MARTIN: Thank you, Rick, and thank each of you for being with us today. In conclusion, I'd like to thank a couple of other people. Of course, Rita Calvan, our Region III director, for being with us today and Ihor Husar is in the audience. Ihor and his staff, particularly Nancy Goldstein and Tom Kevorkian, who are staff to the Strategic Review Steering Committee, have done all the preparatory work to making all of these meetings across country happen,

as well as all of the materials we've used, particularly Jennifer East. I don't know if Jennifer is still here. She was here earlier today. And, Megs Hepler, the director of the Exercises Division, came in. I'd like to thank him for his support and assistance in the process.

I'd also like to take this opportunity and it's the first time I have done it all week, but since this is our last public meeting for this part of the process, I'd like to publicly thank the Steering Committee, even though their work, to an extent, is really just beginning. That is, synthesizing all the comments that we've received in the public meetings and distilling the concept papers into recommendations. That's Bob Bissell, Steve Borth, Woodie Curtis, Tammy Doherty, Tom Essig, Rosemary Hogan, Falk Kantor, Janet Lamb, Bill McNutt, Mary Lynne Miller and Sharon Stoffel and also Melanie Galloway and Bob Hendrix, who were working with us on the concept papers very early on initially.

I'd like to use some words that have been used earlier today. I'd like to reinforce, reaffirm, and also reiterate that what we have presented to you today are concepts. They were based on The Federal Register comments, on the various resolutions, various papers we have received

in the past. What the committee did was wrap those comments and stacked them. We looked for themes, talked about how those themes should be crafted in proposals and that is what you saw today. Using the accordion process that we mentioned in the overview, of course, now we have brought these proposals back to you, brought the concepts back to say is this reasonable or an accurate reflection of the aggregation of all of the comments that we have received?

So, that was today's process. You still have an opportunity to submit comments. If you think about something as you leave this meeting today, we welcome you to submit written comments, the address is on the overhead, to Nancy Goldstein. We are asking that you send those in prior to January 1, because if you recall the schedule that we presented during the overview, the committee will be meeting early in the year to begin to refine these concepts into the recommendations that might be made.

I also would like to mention, I think many of you may be aware of it, but interestingly enough, the committee had to work with comments that varied from, oh, yes, delegate everything to the state all the way to don't change a thing about the program. So, taking that wide disparity of comments, we crafted these proposals. They may be,

several of them may be consolidated. Some of them may become early recommendations, right away, with some needing further refinement prior to becoming a recommendation, and some may not result in recommendations at all.

We've developed concepts and we're bringing them back to you and we ask for your comments again on that, and at that point we'll be making recommendations that will come back out for comment.

If I understood one of the last comments, you want to be sure that you have The Federal Register notice or you are aware of when those dates are. Check the REP home page.

Everything we're doing will be posted there. I understand that if you are doing it yourself, that there is -- you may check it today and check it tomorrow and it appears that nothing has been changed, but it may have changed. There is a refresh function that needs to be taken care of. So, be sure that if you have any question about the process, Ihor is right here on this side of the auditorium. See him and ask him about the specific process for getting into the REP home page, because apparently that initial screen does not indicate the full depth of what might have been updated most recently.

Also, on The Federal Register notice, when



proposed recommendations do come out for notice, that date of The Federal Register will be posted on the REP home page and also, all of these documents are available in the public document rooms of the utilities. If you have any other comments about venues that we might use to be sure to get the word out appropriately and early, we'd be most happy to accommodate those.

Well, I'd like to thank each one of you again for coming out on this rainy Friday. I can't tell you how much we appreciate your comments and that they will be most instrumental in assisting us in refining the recommendations. That concludes our public meeting in Washington, D.C. Thank you.

(Whereupon, at 11:50 a.m., the meeting was concluded.)

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REPORTER'S CERTIFICATE

DOCKET NO.:

TITLE: REP Program Strategic Review At-Large  
Stakeholders Meeting

DATE: December 5, 1997

LOCATION: Washington, D.C.

I hereby certify that the proceedings and evidence are contained fully and accurately on the tapes and notes reported by me at the hearing in the above case before the Federal Emergency Management Agency.

Date: December 5, 1997

Michael A. Pecknay

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